

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MOTION FOR PRIVATE SALE OF PROPERTY PURSUANT TO SECTION 363

NOW COMES Atlantic Retail Construction, Inc. (the “Debtor” or “ARC”), through counsel, pursuant to 11 U.S.C. § 363(c)(1) and Rule 6004 of the Federal Rules of Bankruptcy Procedure and respectfully requests authorization to sell property at a private sale as described below. In support of the Motion, ARC shows to the Court the following:

1. ARC filed a voluntary petition under Title 11, Chapter 11 of the United States Code (the “Bankruptcy Code”) on October 16, 2014 (the “Petition Date”).
 2. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and 11 U.S.C. §§ 1107 and 1108. This is a core proceeding pursuant to 28 U.S.C. § 157.
 3. The Debtor continues in possession of its assets and operates its business as debtor-in-possession. ARC is in the process of winding down the scope of its business and no longer needs certain of its personal property or the amount of space that it is currently leasing in real property owned by WSJ Holdings, LLC (“WSJ”).
 4. WSJ has a contract for sale of its real property to a buyer who intends to occupy the space that is currently occupied by ARC and will permit ARC to terminate its lease with WSJ for no cost. The buyer also wishes to purchase certain of ARC’s excess property for use in its business.

5. Therefore ARC desires to sell certain of its personal property that is no longer required for its business at a fair market price. A list of the property to be sold is attached hereto as Exhibit A. No person or entity other than ARC has a lien on or other interest in the property to be sold and ARC believes that it is in the best interest of its estate to sell the property as proposed.

WHEREFORE, ARC respectfully requests that the Court enter an order permitting ARC to sell the property described on Exhibit A hereto.

This the 3rd day of March, 2015.

By: /s/ Katherine J. Clayton
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Counsel for Atlantic Retail Construction, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was served by electronic means or by depositing the same, enclosed in a postpaid wrapper, properly addressed to the following parties in interest, at their last known addresses as shown below, in a post office or official depository under the exclusive care and custody of the United States Postal Service:

Via CM/ECF

Bankruptcy Administrator
Julie B. Pape, Esq.
Jamie H. Stone, Esq.
Craig S. Haskell, Esq.

Via U.S. Postal Service

Tiffany Strelow Cobb, Esq.
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street / P.O. Box 1008
Columbus, OH 43216-1008

This the 3rd day of March, 2015.

By: /s/ Katherine J. Clayton
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*Counsel for Atlantic Retail Construction,
Inc.*

EXHIBIT A

Atlantic Retail Construction - 14-11216

ARC Items for Sale	Make	Owner	Model	Buyer	Sale Price
Coffee Maker	Bunn	ARC	VLPF	Shane Beal	\$200.00
Server/IT Rack	Dell	ARC	2900 PowerEdge	Shane Beal	\$400.00
DVR	Qsee	ARC		Shane Beal	\$60
Canon Printer (NR)	Canon	ARC	Color imageCLASS MF8170c	Shane Beal	\$400
Accounting Desk	Miller	ARC		Shane Beal	\$300
File Cabinet	Miller	ARC		Shane Beal	\$100
PM Desk (2)	Miller	ARC	45-7224-QLP-CC	Shane Beal	\$830.00
Assorted Chairs (6)	Various	ARC		Shane Beal	\$ 400.00
2004 Dodge Truck*	Dodge	ARC	Ram (203,000 miles)	WSJ Holdings	\$ 9,000.00
				Total	\$11,690.00

* Kelley Blue Book Price Trade in Value is \$8,651